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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

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6 Aim High Investment Group, LLC,

7 Plaintiff,

8 v.

9 Spectrum Laboratories, LLC,

10 Defendant.

11 And related counterclaims.

Case No. 2:22-cv-00158-GMN-DJA

**Order**

12 James K. Cleland, Esq. and Brady A. Bathke, Esq. of the law firm Dickinson Wright  
13 PLLC move to withdraw as counsel of record for Plaintiff/Counter-Defendant Aim High  
14 Investment Group, LLC. (ECF No. 112). They move to withdraw on an expedited basis “to  
15 avoid further financial burden and hardship to Dickinson Wright, as well as provide Aim High  
16 sufficient time to locate and retain new counsel given the approaching discovery deadlines  
17 without adversely impacting Aim High’s interests.” (*Id.* at 1). Specifically, they point out that  
18 Defendant Spectrum Laboratories, LLC has tentatively scheduled depositions for the week of  
19 January 22, 2024 and that the *Markman* hearing is scheduled for February 22, 2024. (*Id.* at 4).  
20 Spectrum responded to the motion, explaining that it does not oppose the motion to withdraw, but  
21 asks that the Court require Aim High to retain counsel within ten judicial days of the Court’s  
22 order granting the motion so that the case moves forward efficiently. (ECF No. 113). Spectrum  
23 does not address the upcoming depositions, but asserts that its concern is that the withdrawal not  
24 impact the *Markman* hearing. (*Id.* at 2).

25 Local Rule IA 11-6(b) provides that, if an attorney seeks to withdraw after appearing in a  
26 case, the attorney must file a motion or stipulation and serve it on the affected client and opposing  
27 counsel. Local Rule IA 11-6(e) provides that, “[e]xcept for good cause shown, no withdrawal or  
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1 substitution will be approved if it will result in a delay of discovery, the trial, or any hearing in the  
2 case.”

3 The Court finds that Cleland and Bathke have met the requirements of Local Rule IA 11-  
4 6(b) and (e). Regarding delay, Cleland and Bathke assert that they informed Aim High that they  
5 would file their motion, and filed it on December 14, 2023. Albeit before the holidays, Aim High  
6 had notice that their counsel would withdraw about a month before the January depositions were  
7 set to begin. Additionally, Cleland and Bathke represented that the depositions were tentatively  
8 scheduled. And the *Markman* hearing is not set to commence until February 22, 2024. Finally,  
9 Aim High has not opposed the motion, constituting its consent to the Court granting it under  
10 Local Rule 7-2(d).

11 The Court thus grants the motion. To avoid delay, the Court will require Aim High to file  
12 a status report within fourteen days regarding its retention of counsel. *See Reading Intern., Inc. v.*  
13 *Malulani Group, Ltd.*, 814 F.3d 1046, 1053 (9th Cir. 2016) (explaining that corporations must be  
14 represented by counsel). That status report must also address whether the parties intend to  
15 proceed with the depositions scheduled for the week of January 22, 2024 and whether the parties  
16 have discussed extending the discovery set to end on January 29, 2024. (ECF No. 106).

17  
18 **IT IS THEREFORE ORDERED** that James K. Cleland, Esq. and Brady A. Bathke,  
19 Esq.’s motion to withdraw (ECF No. 112) is **granted**.

20 **IT IS FURTHER ORDERED** that Aim High must file a status report regarding its  
21 retention of counsel on or before **January 19, 2024**.

22 **IT IS FURTHER ORDERED** that the Clerk of Court is kindly directed to place Aim  
23 High’s last known addresses on the docket:

24  
25 **Aim High Investment Group, LLC**  
26 Attn: Michael Salame, Manager  
27 4980 Statz St., Unit 120  
28 N. Las Vegas, NV 89081  
Email: michael@highvoltagedetox.com

1           **IT IS FURTHER ORDERED** that the Clerk of Court is kindly directed to mail this order  
2 to Aim High at the address listed above.

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4           DATED: January 5, 2024

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8           DANIEL J. ALBREGTS  
9           UNITED STATES MAGISTRATE JUDGE  
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